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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/997,995 | 11/30/2001 | Giovanni Frezza | 856063.722 | 3898 |
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500 7590 10/18/2005

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| EXAMINER |
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NADAV, ORI

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| ART UNIT | PAPER NUMBER |
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2811

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,995

Applicant(s)

FREZZA, GIOVANNI

Examiner

Ori Nadav

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19,21,22,24,27-29,31-33,36 and 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19,21,22,24,27-29,31-33,36 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a device comprising a protective package having a window over the pressure sensor of the electronic device and an electronic device activated through a projecting portion wherein the projecting portion is shaped to form a ring or is surrounded by dyke or barrier and formed on a surface of the electronic device, as recited in claims 19, 22, 27, 29 and 31, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

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the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 22, 29, 31-33, 36 and 38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no adequate description in the disclosure how to form a device comprising a protective package having a window over the pressure sensor of the electronic device and an electronic device activated through a projecting portion wherein the projecting portion is shaped to form a ring or is surrounded by dyke or barrier and formed on a surface of the electronic device, as recited in claims 19, 22, 27, 29 and 31, in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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Claims 22, 29, 31-33, 36 and 38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no adequate description in the disclosure how to form a device comprising a protective package having a window over the pressure sensor of the electronic device and an electronic device activated through a projecting portion wherein the projecting portion is shaped to form a ring or is surrounded by dyke or barrier and formed on a surface of the electronic device, as recited in claims 19, 22, 27, 29 and 31, in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 21-22, 24, 27-29, 31-33, 36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamawaki et al. (4,894,707) in view of Nomura et al. (5,948,991).

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Regarding claims 22, 29, 31 and 38, Yamawaki et al. in figures 5g and related text a packaged electronic device ready for electronic use, comprising:

a semiconductor integrated electronic circuit including an image sensor;

a plastic protective package 9 surrounding and supporting the electronic circuit, the protective package having a window over the electronic device 1 such that the electronic device can be at least partially activated from outside of the protective package; and

a portion on the electronic circuit is surrounded by ring shaped dyke or barrier 3 formed on the electronic circuit.

Yamawaki et al. do not teach a projecting portion of elastic material projecting from a surface of the electronic device into the window.

Nomura et al. teach in figure 6 and related text a projecting portion of elastic material 132 projecting from a surface of the electronic device 130 into the window, wherein the projecting portion being structured to enable the electronic device to be activated through the projecting portion when the electronic device is in use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a projecting portion of elastic material projecting from a surface of the electronic device into the window of Yamawaki et al.'s device in order to provide better protection to the chip.

Regarding claims 21, 24, 28, 32, 33 and 36, prior art's device teaches a protective package also contacts the top of the electronic circuit adjacent to the window, wherein

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the window is defined by tapering walls that taper inwardly toward the electronic circuit, and wherein the electronic circuit includes a proximity sensor.

Regarding claims 19, 27 and 31, Yamawaki et al. in figures 5g and related text a packaged electronic device ready for electronic use, comprising:

- a semiconductor integrated electronic circuit including an image sensor;

- a plastic protective package 9 surrounding and supporting the electronic circuit, the protective package having a window over the electronic device 1 such that the electronic device can be at least partially activated from outside of the protective package; and

- a projecting portion of elastic material 3 projecting from a surface of the electronic device into the window, the projecting portion being structured to enable the electronic device to be activated through the projecting portion when the electronic device is in use, wherein said projecting portion 3 is shaped to form a ring on the electronic circuit.

Yamawaki et al. do not teach a pressure sensor chip.

Nomura et al. teach in figure 6 and related text a pressure sensor 130 chip.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a pressure sensor chip in Yamawaki et al.'s device in order to use the device in an application which requires a pressure sensor chip.

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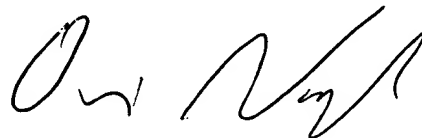
Response to Arguments

Applicant's arguments with respect to claims 19, 21, 22, 24, 27-29, 31-33, 36 and 38 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ori Nadav whose telephone number is 571-272-1660. The examiner can normally be reached between the hours of 7 AM to 4 PM (Eastern Standard Time) Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Loke can be reached on 571-272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



O.N.
10/17/05

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